

AN ORDINANCE 100030

**AMENDING CHAPTER 34 OF THE CITY CODE BY  
MODIFYING LOCAL REGULATIONS TO  
IMPLEMENT THE SAN ANTONIO WATER SYSTEM'S  
PRETREATMENT PROGRAM; AND DIRECTING  
PUBLICATION.**

\* \* \* \* \*

**WHEREAS**, the Industrial Waste Water Pretreatment Program is mandated by state and federal agencies to protect the integrity of publicly owned treatment works (POTWs), commonly known as the public sanitary sewer collection and treatments systems that collect, process, and discharge waste water, which systems are managed by the San Antonio Water System; and

**WHEREAS**, the Program's parameters (regulated constituents) must be periodically updated to ensure that commercial and industrial wastes do not introduce excessive concentrations of pollutants, corrosives, and toxins into the sanitary sewer system; and

**WHEREAS**, the San Antonio Water System Board of Trustees acted under separate Resolution to review and approve such Industrial Pretreatment Program changes and liquid waste transportation rules adjustments; and

**WHEREAS**, the City Council acted on July 22, 2004, passing and approving extensive adjustments to the Program, under authority of Ordinance No. 99480, as requested by the SAWS, and it is now necessary to further adjust such parameters; **NOW, THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Code of the City of San Antonio, Chapter 34, WATER AND SEWERS, Article V, Division 3, **INDUSTRIAL WASTE**, § 34-472 (1) through (4) (c); and, § 34-477 **Compliance monitoring**, (2) (a) Inspection and sampling, are hereby amended by adding underlined language and omitting ~~stricken~~ language, as exactly set forth in ATTACHMENT I, attached and fully incorporated herein verbatim for all purposes.


**SECTION 2.** The City Clerk of the City of San Antonio is directed to publish this Ordinance as may be required by law.

**SECTION 3.** This ordinance shall take effect November 28, 2004.

**PASSED AND APPROVED** this 18th day of November, 2004.

ATTEST:

*Leticia M. Vaca*  
CITY CLERK



MAYOR  
EDWARD D. GARZA

APPROVED AS TO FORM:

*Richard E. [Signature]*  
CITY ATTORNEY

Ordinance Attachment 1, page one (1) of four (4) pages

Sec. 34-472. Regulations.

(1) *General discharge prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

(2) *Specific discharge prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (a) There shall be no discharge of pollutants in amounts which would cause the discharge from a facility to have a closed cup flashpoint of less than 60° centigrade or 140° Fahrenheit using the test methods specified in 40 CFR 261.21;
- (b) Any wastewater having a pH less than 5.5 or greater than 10.5 standard units, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW. (Any wastewater having a pH below less than or equal to 2.5 0 and or above greater than or equal to 12.5 standard units is considered hazardous under 40 CFR 261.22);
- (c) Solid or viscous substances in such quantities and/or qualities which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, solids or solids accumulation greater than one-half ( 1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, asbestos, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, paint or chemical residues, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes, fatty acids or esters of fatty acids, or food and vegetable wastes, or any material which can be disposed of as trash;
- (d) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which contributes, either singly or by interaction with other pollutants, to interference to the POTW. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed, for any time period longer than fifteen (15) minutes, more than five (5) times the average daily concentration, quantities, or flow produced during normal operations;
- (e) Any wastewater having a temperature which will inhibit biological activity in the POTW plant contributing to interference, but in no case wastewater with a temperature at the introduction into the POTW treatment plant which exceeds 40° centigrade (104° Fahrenheit) unless the POTW treatment plant is designed to accommodate such temperature. Wastewater entering the regional collection system cannot exceed 65.5° centigrade (150° Fahrenheit) unless the quantity of heated discharge is of such volume that the total wastewater temperature at the nearest downstream manhole does not exceed 40° centigrade (104° Fahrenheit);
- (f) There shall be no discharge of any petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that may contribute, either singly or by interaction with other products, to interference or pass through;
- (g) In accordance with 40 CFR 403.5(b)(7) there shall be no discharge of any pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, asbestos, and any other substances which the Control Authority, the State or EPA has notified the user is a fire or explosion hazard to the system, or presents an imminent threat to the health and safety of persons operating the system;

\* \* \*

ATTACHMENT I

\* \* \*

(3) *National categorical pretreatment standards.*

\* \* \*

(4) *Technically based local limits.*

\* \* \*

(a)

\* \* \*

(b) All samples shall be collected and analyzed in a manner consistent with the requirements of 40 CFR 136. No user as prescribed above shall discharge or allow the discharge of wastewater to the regional system having a pH less than 5.5 or greater than 10.5 standard units, and all concentrations and/or quality criteria shall apply where the effluent is discharged to the POTW. Wastewater entering the Regional Collection System shall not exceed 65.5 degrees Centigrade (150 degrees Fahrenheit).

Industrial User Local Limits:

(a) 0.7 Arsenic As

~~(b)~~ —

~~(e)~~(b) 0.7 Cadmium Ca

~~(d)~~(c) 5.0 Chromium Cr

~~(e)~~(d) 1.50 Copper Cu

~~(f)~~(e) 0.17 Total Cyanide CN-T

~~(g)~~(f) 0.7 Lead Pb

~~(h)~~(g) 0.05 Mercury Hg

~~(i)~~(h) 0.12 Molybdenum

~~(j)~~(i) 5.5 Nickel Ni

(kj) 0.02 Selenium Se

(lk) 0.50 Silver Ag

~~(m)~~(l) 2.2-50 Zinc Zn

~~(nn)~~ 200 Fats Oil & Grease

~~(on)~~ 5.5--10.5 pH

~~(po)~~ 150 degrees Fahrenheit

Note that the above mentioned limits are reflected in units of mg/L, with the exception of pH and temperature. All limits with the exception of TSS represent the total concentration of the substance, both suspended and dissolved.

(c) Best Management Practices / Pollution Prevention.

Users not regulated under local limits shall be regulated under the following guidelines relating to Best Management Practices and pollution prevention.

**Sec. 34-476. Liquid waste transportation regulations.**

Liquid waste transporter permits will be issued in accordance with the provisions of Article V, Division 4 of this chapter, the liquid waste transportation and disposal regulations, as amended.  
(Ord. No. 81771, § 2(App. I), 3-2-95; Ord. No. 85765, § 1, 3-20-97)

**Sec. 34-477. Compliance monitoring.**

(1) *Monitoring facilities.*

- (a) Industrial users shall install and maintain monitoring facilities that allow inspection, surveillance and sampling at the discharge point and/or internal drainage systems located on private property. Permanent flow measurement, metering and/or totalizing devices for surcharge calculations and/or determination of the mass of pollutants discharged shall be required when deemed appropriate by the director. These facilities shall be provided by the industrial user and operated at the user's expense. All devices installed by an industrial user used to measure water and/or wastewater flow and quality shall be calibrated at a minimum of one time per calendar year to ensure accuracy. The monitoring facility should normally be situated on the user's premises, but the Control Authority may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed on the sidewalk area and located so that it will not create a public safety hazard nor be obstructed by structures, landscaping, or parked vehicles. To establish water consumption of users on water wells, metering devices shall be installed, operated and maintained by the user.
- (b) Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (c) For multiple use buildings (i.e. shopping centers, medical service buildings, office buildings, etc.) having only one master water meter, or multiple meters paid by one person or company, and/or where the building is served by a common sewer lateral, one permit may be issued to the water bill addressee. In this case, the addressee shall be responsible for:
  - (1) The installation, operation, and maintenance of any required pretreatment device or monitoring station;
  - (2) Compliance with all provisions of this division and/or applicable pretreatment standards or requirements; and
  - (3) The payment of all sampling and analysis fees, surcharges, and any fines or penalties imposed. If in the judgement of the director, the quality of wastewaters from the separate users is such that separate pretreatment or monitoring facilities is appropriate, the director may require separate facilities. In this case, all of the aforementioned requirements shall apply to the individual users.
- (d) There shall be adequate lighting of and ample room in or near such sampling manhole or facility to safely allow inspection personnel to position sampling, monitoring or surveillance equipment and prepare field samples for analysis. Whether construction on public or private property, the sampling and monitoring facilities shall be provided in accordance with the regional system requirements and all applicable local construction standards and specifications, including applicable requirements contained in the Plumbing Code, Chapter 24 of the City of San Antonio Code, as amended or as may be amended.

(2) *Inspection and sampling.*

- (a) The Control Authority and EPA and/or TCEQ representatives shall have the right to inspect the facilities of any industrial user to ascertain whether the purposes of this division are being met and all applicable requirements are being fulfilled. Industrial users and their employees shall allow authorized regulatory representatives displaying proper identification ready access to the premises at all reasonable times for the purpose of: inspecting wastewater generating operations and

processes; wastewater flow monitoring and sampling; examination and reproduction of business records pertinent to water and wastewater volume and quality; including hazardous and non-hazardous waste manifests; and where applicable, making photographic documentation and obtaining other information necessary to ascertain and ensure currentness of data and information submitted in the facility's permit application, and assure and assess compliance by users with pretreatment standards and requirements. Inspection frequency is at a minimum conducted ~~twice~~ once per year, and the frequency will depend on the nature and type of industrial processes as is specified in the Control Authority's pretreatment program. Failure to allow access will be considered a direct violation of this division.

- (b) The Control Authority shall have the right to install, or require the installation of monitoring, testing, and surveillance equipment (including adequate lighting) and to take samples (including independent samples) of any indirect discharge at any reasonable time in accordance with the applicable provisions of this division. Where an industrial user has safety and/or security measures in force which require user issuance of special safety equipment and/or proper identification and clearance before allowing entry into their premises, the user shall make the necessary arrangements with their security guards or similar personnel, so that upon presentation of suitable identification, personnel from the Control Authority, the state, or EPA will be permitted to enter any or all areas of the user's facility, without delay, for the purpose of performing responsibilities reasonably associated with those stated above and reasonably required to accomplish the purposes and objectives of this division.
- (c) Results of concentration and constituent analysis of wastewater from samples collected from any industrial user may be determined by the Control Authority or its authorized agent, the approval authority, a professional engineer contracted by the discharger, or by any other qualified party approved by the Control Authority.
- (d) If the industrial user elects to contract with a professional engineer or other qualified party for sampling and analysis of wastewater, all results of such sampling and analysis shall be submitted to the director, and all reports submitted shall contain a statement certifying that the samples collected and values reported are developed in accordance with the collection and analytical procedures contained in section 34-474 of this division, 40 CFR 403.12, and the appropriate federal categorical pretreatment standards, as applicable. Each significant industrial user will be sampled at least twice each year, or more frequently if required by the local pretreatment program.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Control Authority and shall not be replaced. The costs of clearing such access shall be borne by the user.

(3) *Search warrants.* Failure to allow access to a building, structure, or property, or any part thereof, when the Control Authority personnel is able to demonstrate probable cause to believe that there may be a violation of this division, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the ~~the~~ Control Authority designed to verify compliance with this division or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Control Authority may seek issuance of a search warrant from the Municipal Magistrate of the City of San Antonio or the County Judge of Bexar, or any judge of appropriate jurisdiction.  
(Ord. No. 81771, § 2(App. I), 3-2-95; Ord. No. 85765, § 1, 3-20-97)

#### **Sec. 34-478. Reporting requirements.**

- (1) *Baseline monitoring reports.*
  - (a) Within either six (6) months after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Control Authority a report which contains the information listed in paragraph (c) below.
  - (b) At least ninety (90) days prior to the commencement of their discharge, new sources, and sources

# Agenda Voting Results

**Name:** 32.

**Date:** 11/19/04

**Time:** 12:03:20 AM

**Vote Type:** Multiple selection

**Description:** An Ordinance amending Chapter 34 of the City Code by modifying local regulations to implement the San Antonio Water System's Pretreatment Program; and directing publication. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		